VII.

# A LETTER FROM THE CLERGY of FRANCE Assembled at *PARIS*, TO Pope Innocent XI. Concerning the Rights of the REGALIA. WITH The Pope's Answer THEREUNTO.

Translated out of the Latin Copy printed at *Paris*, *Cum Privilegio Regis.*

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A

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BIBLIOTHECA BODLEIANA

# A LETTER FROM THE Clergy of France Assembled at *PARIS*, TO THE Most Holy FATHER and Our LORD Pope Innocent XI.

## Translated out of Latin according to the Original Copy.

*Most Blessed Father,*

THE profession of Canonical Obedience, which devotes us to the Apostolical See, obliges us, to make known unto your Apostolical dignity those particular matters, which have of late been transacted by us in an Assembly at *Paris* convened by the King's Command; as also our apprehensions, and fears, which we freely offer to your Paternal Consideration.

*Epistola Concilii Milevitani ad Papam Innocentium inter Epistolas S. Augustini Epist. 92.*

*For whereas God hath by his special grace placed you in the Apostolical See, and dignified you in these our days; it would be a sin of negligence in us, should we with silence omit to suggest those matters which are beneficial for the Church; For then it would seem as if we believed, your Holiness would either with disdain, or coldness receive our Addresses, or refuse to administer your Episcopal care in our extremest dangers.*

For indeed, (most Blessed High Priest) we have received it as a certain truth delivered to us by our Ancestors, who were holy and wise Men; that the safety of humane Affairs depends on a religious agreement between the Secular and Spiritual Power, *for whilst one opposes the other, they are both in danger; Justice will thereby be taken from the Kingdom, and Peace from the Church; Schisms and Scandals will be raised, and many Souls and Bodies be destroyed: and without true concord between these two the condition of Mankind can neither be happy, nor secure.* Thus much *Goffridus Vindocinensis*, and *Ivo Carnotensis*, both holy and devout men, and eminent Prelates in the Gallican Church, having in their immortal writings delivered unto us, it seems not impertinent to produce their testimonies before your Holiness; for being men who had suffered much for asserting the Ecclesiastical Liberty, and the Authority of the Church, were ever esteemed by your holy Predecessors, as authentick Authors, and true Sons, rather than as Scepticks or disputing Casuists. We have farther to add hereunto a third testimony of *Clareval* the Abbot, being a person, who was not onely a light of the Gallican but of the Universal Church; as also of S. *Bernard*, that great Stickler for the Canons, and a sententious, and profound Author; who with sad reflexions observing the divisions between the Regal, and Priestly Offices, and how the seamless Coat of Christ was rent; perswades us therefore to a gentle way of moderating the Canons, as that which may conduce to the better maintenance, and confirmation of both Powers: which is an advice more especially usefull in *France*, where it hath been the glory of our Ancient Bishops, that no differences have arose between the Temporal, and Spiritual Powers; and where lastly, according to the testimony of S. *Bernard*, when all the world was in confusion, and the Popes themselves frequently disturbed with storms of divisions, then had *France* not onely quietness within it self, but proved instrumental also to compose the Schisms, and differences of others.

*Goffridus Vindocinensis Opusculo quarto.*

*Ivo Carnotensis Epist. 60.*

*S. Bernard Epist. 219.*

*Ivo Carnotensis Epist. 238.*

*S. Bernard Epist. 219.*

Nor

Nor with leſs earneſtneſs have the Apoſtolical Prelates, the Predeceſſors of your Holineſs, recommended this concord to us, proving out of Holy Scripture, that the Commonwealth was anciently maintained by this double power, and the peace of mankind ſecured by a true underſtanding of the limits of each. As the Prophet ſaith, *Behold a man of the Eaſt whoſe name is Zorobabel*, who is repreſented in the perſon, and figure of Chriſt, to be a Captain and Prince of God's People. *And he ſhall build the Temple of the Lord, even he ſhall build the Temple of the Lord, and he ſhall bear the glory, and ſhall ſit and rule upon his Throne, and he ſhall be a Prieſt upon his Throne, and the Counſel of Peace ſhall be between them both.* May therefore both the Thrones flouriſh, as well of the Prince, as that of the Prieſt, and may they ſtrengthen and confirm each the other with mutual aſſiſtance and agreement: then ſhall the people be in ſafety, and their ſouls, as well as their bodies be refreſhed; and Mankind ſhall enjoy a ſtate of Tranquility pleaſing both to God, and themſelves.

Gelaſius *Papa Epiſt.* 8. *ad* Anaſtaſium *Imp.*

Zachariah *cap.* 6. *v.* 12, 13.

Having therefore learned theſe things both from the Traditions of our Fore-fathers, as alſo from Prophetical and Divine Authority; and having ſeen this peace diſturbed in our days, by reaſon of the differences about the King's *Regalia*; we began to conſider with our ſelves what our Anceſtors, and what the Ancient Popes of the Apoſtolical See, did preſcribe, and determine in theſe caſes, being fully reſolved to follow that, which they by their doctrine, and example have taught us. And hereupon we conclude, that whatſoever hath been eſtabliſhed by Evangelical Authority, or by the Eternal Law, is not lyable to any change, or alteration: but where the prohibition is merely Eccleſiaſtical, there the Rulers of the Church have oftentimes interpreted the Canons in a larger ſenſe, and when neither the truth of the Goſpel nor moral Honeſty have been endangered, then many things have been tolerated in compliance with the times, and the rigour of Inſtitutions moderated; and if neceſſity required, even the Laws themſelves have been abrogated, and all this without any blind connivance, or relaxation of Diſcipline. For this hath been the Rule of the Holy Popes your Predeceſſors, namely; *Where there is no neceſſity, there the Decrees of the Holy Fathers ought to remain unaltered*; ſo that theſe Decrees may be changed, when neceſſity requires; and this neceſſity is to be judged, when grievous diſſenſions, turbulent commotions, and tumults do ariſe,

S. Bernardus *Tract. de Præcepto & diſpenſ. c.* 4.

which the Holy Fathers call *the Slaughter of the People*, for then Charity, which is the Supreme Law of the Church, enjoyns us to attemper, and moderate those Laws. *Something then is to be subtracted from the severity of the Canons, and sincere Charity must be admitted with its gentle lenitives for the cure of greater diseases.* Hence it is, that the moderation of the Canons which was at first recommended by the Holy Fathers, and approved by the Apostolical See, hath afterwards by a prudent practice, and a well poised balance edified the Church, dispelled Schisms, and settled the Regal, and the Sacerdotal Power in a firm peace, and a right understanding.

S. Augustine *Epist.* 50.

In these things our Ancestors have instructed us out of S. *Austin*, and other Fathers, these things also we have learned from the Holy Popes, *Leo*, *Gelasius*, and others, namely, *That many things may be tolerated, whilst the fundamentals of Faith, and the common rules of Morality are secured, some things are to be done for the sake of the weak, for charity covers a multitude of sins, is weak with the weak, burns with the scandalized, becomes all things unto all, that it may at least gain some.* Had therefore that Right of the Crown, which we call the *Regalia*, been any ways repugnant to the fundamentals of Faith, or the rule of good Manners, those Holy Popes who were eminent for their Learning, and Sanctity, such as *Alexander* the Third, and *Innocent* the Third, would never have approved it, nor that Sacred and General Council held at *Lyons* consisting of such conspicuous persons both for title and honour would never have confirmed it by their Authority. Howsoever this right was not to be extended to such Churches, as had still conserved their primitive, and ancient Liberty. But to let pass this Question, we shall not discuss precisely the words of the Council, nor the various senses thereupon, nor shall we need to relate the preceding, nor the succeeding passages of it. Onely thus much is clear, that this doctrine doth neither prejudice Faith, nor good Manners, as appears in many parts of this Kingdom where it is already preached, and dilated. And hence it follows, that since this cause of the *Regalia*, which concerns not Faith, nor good Manners, (the rules of which are neither to be altered, nor dispensed with) but is to be referred to Discipline onely, it may according to times, and place be altered, and admit of terms and expedients of accommodation.

Ivo Carnotensis *Epist.* 214.

*Cap.* 12.

Tertullian *de Virg. Velandis.*

This

This being (as we apprehend) the true ſtate of the Queſtion, (Moſt Holy Father) it will not be difficult to determine the whole matter; for this onely is to be enquired into, whether there be juſt reaſon for us, after a ſuit of 60 years in defence of the Liberties of ſome Churches, and being caſt therein at that Tribunal which (after the ancient cuſtom) we call the Judicature of this Kingdom, we ought quietly to acquieſce in the Sentence given againſt us, or otherwiſe to raiſe new diſſenſions, and unquiet all, by ſetting up the Papal in oppoſition to the Regal Authority. For our parts, we prefer peace in the firſt place, and are not aſhamed to imitate that * Abbot of *Windiſch*, a perſon as renowned for his prudence, as his fortitude, whoſe words are theſe, *The Church hath its Liberties, and Immunities, but great caution is to be uſed in the exerting of them, for if we rub too hard, we may cauſe the place to bleed, and in ſcouring off the ruſt we may break the Veſſel.* Nor ought we in this conjuncture to diſturb the publick peace, or give a check to the proſperous courſe of Eccleſiaſtical affairs under the auſpicious conduct of ſo great a King. Incline your gentle ears unto us, (Moſt Holy High Prieſt) and conſider a little, what a King we have, a King always victorious in War, whoſe Conqueſts, we that are peaceable Prieſts are ready to proclaim, and extol their praiſes to all Nations, being now crowned with the glory of Peace. We wiſh, (Moſt Holy Father) that you were onely preſent with us, to behold this worthy object with your paternal eyes, and ſee, how the beſt of Princes mildly hearkens to the Biſhops! how he favours the concernments of the Church! how he countenances good Men! with what reſolute authority he reſiſts the ſtubborn, and contumacious; and maintains, and fortifies that power in us, which is conferred on us from God! by his protection the Epiſcopal Juriſdiction, which was once eclipſed, is now broken forth in its full brightneſs: Now the Parliaments bear a reſpect to our Decrees, and Authority, and Canonical Diſcipline is enforced by the Royal Decrees. See but, what wholſome correction the Hereſie of the Proteſtants receives! how they lament the loſs of their Churches! what numbers both of Noble, and Common people are daily converted, and crouds

* Abbas Vindocenſis. Goffridus Vindocinenſis *Opuſc.* 4.

croud into the Sheep-fold of *Peter*, that is, of *Christ*! what then can we conclude, but that the mind of the King is averſe to all Novelties in Opinion, and will not ſuffer new Hereſies to lurk in any part of his Dominions. *Lewis* the Great, is in reality another *Mauritius*, whom S. *Gregory* your Predeceſſor ſo often commends. *In his time* (ſays he) *the mouths of Hereticks were ſtopped, and though a perverſe ſenſe abounded in their hearts, yet they durſt not preſume to vent it openly in the time of this Catholick Prince.*

*Lib 2. Epiſt. Epiſt. 48.*

Theſe things we admire being preſent with them, but your Holineſs ſurveying them more clearly from the ſublime Seat of *Peter*, to which all the world is ſubject, muſt needs conceive an unuſual joy from them in your Apoſtolical Breaſt. If perchance amidſt the affluence of ſuch proſperity, ſome inconveniences ſhould ariſe, and all things not anſwer the exact rigour of right, yet we have learned from *Cyril* the Great, once Biſhop of *Alexandria*: That *ſometimes we are compelled by the œconomy of affairs, and are forced to recede from the ſtrict, and profeſſed rights of the Church.* But at what rate we are to eſteem the privileges of ſome Churches, is beſt meaſured by the loſſes, and emoluments which ariſe in contending for them. For example, the profits of vacant Livings, which by long cuſtom have accrued to the King's Exchequer, are now reſerved for the Succeſſor, and matters reduced to the Canon of *Lewis* the Thirteenth of happy memory, notwithſtanding that the Church can ſcarce be ſenſible of any prejudice thereby. We ſee alſo when any thing ſeemed rigorous, and hard in the collation of Prebendaries, and other dignities, the King immediately at our petition made the matter more eaſie, and gentle, which is a clear evidence of that piety, and bounty which reſides in the ſpirit of ſo great a Prince: what damage can there be by theſe condeſcenſions to the Church? nay rather its rights are reſerved, and its limits thereby preſcribed for direction of Judges, leſt all ſhould be invaded under the notion of *Regalia*: to which we have this farther to add, that it is wiſedom to condeſcend, and yield unto him, who having all in his power and poſſeſſion, it is from his free will, and goodneſs that he grants us ſomething.

*Epiſt. ad* Genadium *Presbyterum.*

But

But thoſe men, who meaſure all things by their own wiſhes, may object, and ſay, That the moſt Chriſtian King, who contends with ſo much earneſtneſs to annex this matter of ſmall moment to the Crown, might have been prevailed upon at Our deſire to have ſuperſeded his pretenſions. But theſe men form falſe notions of us, being ignorant of the circumſtances of our affairs. For give us leave, (Moſt Bleſſed Father) to acquaint you, on what hinge the whole weight of this affair turns, and with freedom to employ the ſerious thoughts of your Apoſtolical mind by deducing from its original the right by which the French Kings claim their *Regalia*, which is inherent in the Kingdom, and with which opinion the minds of our people are fully poſſeſſed. For in this manner the King's Magiſtrates argue, that from *Cladoveus*, and the primitive times of Chriſtianity, the moſt Chriſtian Kings, as they were always moſt pious Sons of their Churches, ſo by their liberal bounty they were nurſing Fathers to them, and by the Royal protection they gave them, became, as it were, their Patrons, and Guardians. Thoſe poſſeſſions of Lands which the Church enjoyed, were endowments (as S. *Auſtin* teſtifies) conferred by *Ceſar*, that is, by right of the King, and therefore the ſupreme diſpoſal remained in his Royal Breaſt. Hence it is, that in ancient times, the revenues of Vacant Churches were taken into the King's hand, and afterwards reſtored by him to the Succeſſors, nor were thoſe Acts which the Kings of *France* had made for conſerving this right unto themſelves, ever rejected by the Apoſtolical See. Prebendaries in like manner, which, in their true ſenſe, are the Salaries of Clergy-men, and a part of the Eccleſiaſtical poſſeſſion, and revenue, in caſe they became at any time vacant, they were ever by the ſame right conferred by the Prince: and in regard the collation of theſe Benefices by Ancient Law could not be ſeparated from the more ſolid part, they were afterwards by later Inſtitutions of Popes allotted to the benefit of the Kings. All theſe things in Ancient times the Church granted unto Kings, who had deſerved well of it; and in reallity ſo conſented thereunto, that that right being now confirmed by the aſſent of both Powers, becomes

ſo

ſo engrafted in it and appropriated unto it, that by no pretence, or title whatſoever it is poſſible to be forced, or alienated from it. Nor is it probable, that the Churches ſhould obſerve another Law in the firſt beginnings of the French Empire, which were ſupported by the ſame protection, endowed by the ſame liberality, and affected with the ſame reſpect and reverence towards Majeſty, as we are. If any thing of more fatal conſequence happened afterwards, it is to be attributed to the calamity of thoſe times, wherein the body of the Kingdom being divided by the unhappy diſtinctions of Dukes, and Earls, (which were titles anciently in themſelves auſpicious, and good, though afterwards hurtfull) the parts and Members of it were torn, and rent by Faction and Parties: for thoſe Princes whoſe ambition diſturbed all, ſeiſed often on the *Regalia*, which were as often renounced by them to the Pope, without knowledge or conſent of the King. But after the Royal power had recovered the divided Provinces to it ſelf, and reſtored the afflicted and diſtracted Kingdom to its perfect ſtate of health, under one Noble, and potent Head: then it was judged fit to aboliſh the memory of thoſe ſhamefull diviſions, which once were a reproach to the diſmembred parts, and to retrieve the rights of the King according to the Ancient Cuſtom, and Laws of *France*, which are not capable to be loſt for want of poſſeſſion whilſt the Prince his Subjects have forcibly detained them from him, and which the King never intended to quit, or relinquiſh, but ſtill to reſerve his right, untill he could compoſe his Churches, and cement all in one body by a firm, and ſolid Union. Nor doth the Council of *Lyons* make any thing againſt us herein, for it neither mentions Kings, who out of a reſpect to their Majeſty ought always to be nominated in the Papal Decrees; nor doth it name Prebends, but treats of other matters; nor doth it in the leaſt touch on the queſtion of *Regalia* between the King, and the Pope, which it ought chiefly to doe, in caſe it were produced to make any thing againſt us in this point.

Howſoever theſe matters may be, we reſolve not to report the ſenſe of our Anceſtors herein, or diſpute the point before

before your Holineſs, whoſe buſineſs is peace, and accommodation: Onely we ſhall ſay, that this matter is ſo radicated in the minds of the King's Magiſtrates, that it is impoſſible by any argument, or reaſon to convince them of the contrary: and we ſhould onely by our oppoſition loſe our Cauſe, and be condemned by thoſe men, who are of approved equity, and very affectionate to our Order; whereas now by this condeſcenſion Our Great King is overcome, and abhors within himſelf the thoughts of invading the Rights of the Church: onely he judges the *Regalia* to be a part of his Royal Prerogative, becauſe they are diffuſed, and ſpread in every corner of his Dominions, and by reaſon of the ſimilitude they have with former times, and parity in the condition of all Churches, we are reduced almoſt to a neceſſity of aſſent. But what Our Opinion is herein, (Moſt Holy High Prieſt) we freely, and plainly declare. That we do not propoſe all theſe things as certain, nor do we reject them as erroneous, and contrary to the rules of Faith; Onely in purſuance of the authority of grave Authors, and Apoſtolical men, we eſteem it ſeaſonable to yield unto ſome prudent, and provident diſpenſations.

In the firſt place we alledge the teſtimony of *Innocent* the Third, a perſon mighty in the Scriptures, and converſant in Canonical Obedience; who teaches us, what is to be done in the like caſe: for in his Treatiſe about the *Regalia*, he ſaith, That moſt certain it is, that many things are contained in the rights of *Regalia*, which Kings have out of their free will, and pleaſure remitted to the Churches. The firſt is of Hoſpitality, whereby Biſhops, and Abbots were obliged to entertain the King, and his Court, whenſoever he ſhould pleaſe to make them a viſit; to provide victuals for perſons in publick Office, for a certain number of days; to maintain a certain number of Souldiers till they were conducted to the King's Army; that the King might poſſeſs the goods of the Church not onely in caſe of Vacancy, but alſo might make ſeiſure of them, if the Biſhops omitted to perform their duty, which they call, Services; all which proceed from the ſame foun-

tain of *Regalia*, as *Innocent* confesses: and in confirmation hereof we have this example; That two Bishops having been accused by the King, for employing his Souldiers contrary to his command; their *Regalia* were immediately seised, and not those onely, but their own estates also by command of the King, without process of Law, or judicial Tryals. The King alledged that it was his right of Prerogative so to doe, the Bishops denied it, and justified the fact, and complained of unjust violence, and oppression, and for redress brought an expostulatory Appeal before *Innocent*. What therefore did this great Pope doe in this case? he owned the Bishops cause, as far, as was convenient, and reproved *Philip* for so doing; he threatned him, he exhorted, and conjured him, *That he would make no division between the temporal, and spiritual power*, he menaced him with the danger of the Apostolical Censure, unless he remitted unto the Bishops the *Regalia*, and restored the goods he had (for so it was termed) against all right and reason made seisure of. It was indeed a cause of great moment, wherein so puissant a King was to be corrected by censure Ecclesiastical; howsoever *Innocent* writes to the Bishops in this manner. *We advise, and counsel you with all sincerity, to compose and accommodate your differences with our dearest Son the King, as well, as you are able: for the bow which is always bent, loses of its strength, and sometimes Kings are more easily won by a gentle condescension, than overcome by opposition, and rigour.* This was an admirable determination, where no article of Faith, no point of Morality, or good Manners interfered with it. But some may say, that this is, but a particular fact, and therefore not to be produced into example; howsoever, it is apparent, by what hath been alledged, that not onely the case of the Bishops, but the right also of the *Regalia* was pleaded; and determination was made, how far it might extend to the goods of the Church, and in what manner it might be exercised.

*Lib. primo Epist.* *Epist.* 190.

*Lib. tertio Epist.* 107.

But we pass by these things, and add the example of *Benedict* the Twelfth, a person renowned for his constancy, and prudence: for when *Philip* of *Valois* had published his Philipicks,

Philipicks, wherein he seemed to insert many things concerning the right of the *Regalia*, which were different to the Ancient Customs; this Pope dehorted him with very severe reprehensions from observing this Law: and the King hereupon complyed with his desires, and desisted from his pretensions: for all things are not to be urged too closely to a Pope; nor are Ecclesiastical matters to be screwed up to their highest strain: so that these Laws of *Philip* remain in force even to these our days. Raynaldus *ad An.* 1337. *Num.* 17.

But that we may not be over-tedious to your Holiness, we shall in the last place mention *Boniface* the Eighth, but not touch these old sores of dissention, which were in his time, and which we cannot reade with dry eyes, and therefore desire rather, that they may be buried in eternal oblivion. That which we shall mention of *Boniface*, relates onely to peace, and to that decent clemency which adorns the Papal Chair. It seemed hard to *Boniface*, that *Philip* the Fair, should in right of his *Regalia*, or on any other title whatsoever pretend to dispose of Prebendaries. Howsoever the Pope did not deny, *but that might be done either by the express or tacit consent of the Church.* The King in the mean time maintained his possession, averring that he had the same right to dispose of Prebendaries, *as Saint Lewis his Grandfather had, and others of his Ancestors.* And indeed he seemed to have reason on his side, and the matter to be then so clear, that no man denied it; nor could it be a point of Usurpation in good Kings, to claim and recover their Royal Prerogatives. For that is a right of Regality which from Ancient times, hath been grafted, and inherent in the Crown; and if Patrons of Livings, who are Laymen, have a right to present, and bestow an Advowson as if they themselves had a title to the Lands, which doubtless hath its original from Ecclesiastical Authority; by how much stronger inference, doth such Beneficence become the Authority, and Majesty of a King? Nor did *Boniface*, who was well read in the Laws, positively deny it, but because it seemed doubtfull to him, how far the consent of the Church was requisite to entitle the King unto a power of conferring Prebendaries; *History of diff. between* Bonif. *and* Philip, *p.* 90. *and* 93.

page 78. what therefore was in it self doubtfull, and unlawfull, the Pope made legal and unquestionable by the plenary consent he granted unto the King therein. *Why should we contend*, said he, *longer for this point, we will that the King do that legally, which he doth illegally, we will indulge him all the favour herein that is possible.* In this manner that not, which antient Records, and Laws expounded by the interpretation of Popes, could not untie, was here cut in sunder by the Apostolical Authority. And indeed the Christian world may expect no less, if Pope with Pope and King with King be compared; for *Innocent* the Eleventh seems no less kind, and indulgent to *Lewis* the Great, than *Boniface* the Eighth was free, and complemental to *Philip* the Fair. All that we desire is that those, who imagine it Heresie to assert the Right of the Crown, may not have too much credence given to them; for such men by subtilty of argument do impose on the understandings of the Ignorant, and as Saint *Austin* excellently says, *they raise a dust that they may blow it into the eyes of others.* But your Holiness which is above these matters of lighter moment, and attent to the common good of the Christian world, may by your Apostolical Authority allay those contentions, which though they arise at first from matters of inconsiderable moment, may, (if God avert them not) break forth into growing evils: 'Tis peace we contend for, 'tis peace, which we earnestly desire, 'tis that peace which hath made your reputation so renowned for piety, and holiness amongst all Nations, and will ever consecrate, and conserve your memory to all Ages: and now it is time, that those debates, and misunderstandings which have been displeasing to both sides, to the best of Fathers, and the most devout of Sons, should at length be concluded. As for Our parts (Most Holy Father) we return you all possible thanks, that you were pleased to command, that no farther question should be made concerning the rights of certain Churches, which Our Fraternal interest hath made common to us all: so likewise we desire, that for no cause of Ours, the world be disturbed, or the Christian peace endangered: for which reason, what interests

terests or rights soever we may have in these things, we freely acquit them, and resign them up to the best, and the most liberal, and bountiful of all Princes. *But if perchance any thing herein should seem more, than that the rigour of the Canons allow, it is done, that so the peace of the Church may be maintained. For since Charity is the fulfilling of the Law, we believe that we have performed the same, in that we know, we have acted according to the work of peace.* If your Holiness be pleased to inspect those Acts which have been passed by us, we are assured, that your equity, and wisedom, will approve the same, which we declare, and assert to have done with a free and general consent: And indeed when it is duly considered and the particulars understood, which Our Great King hath granted, and yielded at our request, there is none, but most confess, that the emoluments, and privileges we have received are far greater, than those we have given; and that the condition of the Church by the liberal piety of the King is advanced, and improved. We most humbly therefore supplicate, that those things, which we with humility, not onely in consideration of the publick peace, and advantage of the Church have approved, and which our King out of zeal to Religion, with concurrence of his Chief Magistrates hath conceded, may be confirmed by your Holiness, that so the peace and concord of the Spiritual and Temporal Power may for ever be established, and maintained.

Ivo Carnotensis Epist. 190.

For what can be more unfortunate and dismal, than that in the reign of so Mighty a King, of so Excellent a Pope, when all the happiness, and good imaginable may accrue to the Church, unseasonable, and surprising differences should disappoint the expectation of the world, and retard the progress of the publick good? Since the primitive times of the Church, nothing could be more united, than the concord between the Apostolical See, and the Kingdom of *France*, which your Predecessors freely declare, and we to our honour acknowledge, and which also ought to be improved in these our days. What ever did the world see more potent, than *Lewis* the Great? what ene-

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my appeared more formidable to the Turk? who ever was endued with a more expedite hand, or more ready, and active mind? with whom can you with more confidence, and advantage communicate your Counsels against the common enemy, than with him? whom can you more easily incite to great, and generous Enterprises, than him? And therefore far be it from your Holiness to withstand the freedom of some Churches, which are worthy to be exempted from troubles, and tentations. It is the custom of the Church of Christ to yield to some things, that it may conserve others, and by commutations, barter some privileges to purchase a bargain of better advantage. How much is the *Regalia* infringed since the time, that pious Princes forbore their benefices? since they freely dispensed with those grievous burthens of quartering Souldiers, and other charges? the which require in us a gratefull mind, and a due acknowledgment. What need we particularize here the Election of Bishops, and Abbots, Investitures, Injunctions, Permissions, and Dispensations of the King, the conferring of Bishopricks and Abbies, Homages, and Oaths of Allegiance; all which were once forbidden under severe penalties, and yet afterwards were freely and spontaneously granted? The Apostolical Chair is the Fortress of Ecclesiastical Liberty, and yet how many Impositions did it suffer from Princes, and sometimes freely allow them? and then afterwards according to conjuncture of affaire threw them off, and again recovered their pristine condition.

2 Cor. c. 1. v. 17. Is the Church therefore to be accused of lightness, and is not her yea, yea, and nay, nay? God forbid: but being well assured of that eternal truth which shall never alter, hath in some measure condescended to humane affairs, not to temporize or serve the times, but the salvation of souls.

Ivo Carnotensis *Epist.* 190. *In saying thus much, we do not pretend to instruct your Paternal wisedom, but by our intreaty, and counsel to exhort you, rather to use gentleness, and bowels of pity, than (where it is not necessary) to exercise your fortitude.*

Wherefore, (Most Blessed Father) with all due reverence prostrating our selves at your sacred feet, and begging your Apostolical benediction; we pray and beseech the supreme

ſupreme Governour of the Church, and Directour of your Primacy, that he would ſo incline your mind to the counſels of peace, that whatſoever your Holineſs ſhall act in purſuance thereof according to the example of your Predeceſſors, may turn to the greater exaltation of that glory you have in Chriſt, and advantage of the Univerſal Church.

Dated at *Paris*, the third day of *Feb.* *Anno* 1682.

*Subſcribed*

*Your moſt Obedient and Devoted Sons and Servants the Archbiſhops and Biſhops, and others of the Clergy of the Gallican Church, aſſembled in a general Synod.*

Francis, *Archbiſhop of* Paris, *Preſident, by command of the moſt Illuſtrious, and moſt Reverend, the Archbiſhops and Biſhops, and the whole Synod of the Gallican Clergy aſſembled at* Paris.

Maucroix, *Canon of* Rhemes, *Secretary.*
Courcier, *Dr. of Divinity in the Church of* Paris, *Secretary.*

to Pope Innocent the Eleventh.

supreme Governour of the Church, and Direction of your Primacy, that he would so incline your mind to the counsels of peace, that whatsoever your Holiness shall act in pursuance thereof according to the example of your Predecessors, may turn to the greater exaltation of that glory you have in Christ, and advantage of the Universal Church.

Dated at Paris, the third day of Feb. Anno 1683.

Subscribed

Your most Obedient and Devoted Son and Servant, the Archbishop and Bishops, and other of the Clergy of the Gallican Church, assembled in a General Synod.

Francis, Archbishop of Paris, President, by command of the most Illustrious, and most Reverend, the Archbishops and Bishops, and the whole Synod of the Gallican Clergy assembled at Paris.

Mauroix, Canon of Rheims, Secretary.
Courcier, Dr. of Divinity in the Church of Paris, Secretary.

# THE RESPONSORY EPISTLE OF P. Innocent XI. TO THE CLERGY OF FRANCE.

*To the most Reverend the Archbishops, and Bishops, &c. of the* Gallican *Church.*

IT extremely grieved, and sensibly touched the Fatherly affection, we bear to *Lewis* the most Christian King our dearest Son in *Christ*; to your Churches, to your selves, and all that King-

dom; when we understood by your Letters of the third of *February*, how that the Bishops, and Clergy of *France*, which were once the Crown, and Joy of the Apostolick See, should now behave themselves in that manner towards it, that we are compelled with many tears to take up that saying of the Prophet, *The Sons of my Mother have risen up against me*; though in reality it is to fight against your selves, and that Cause wherein the safety, and liberty of your Churches is concerned, and wherein at the urgent desire of some pious, and resolute Men of the same Order with you, we have readily bestirred our selves in defence of the Rights and Dignity of the Episcopal Function in that Kingdom: and following no private Suggestions or Interests of our own, we resolve now to keep our ground, and comply with that care and tenderness we owe to all the Churches, and your selves.

In the beginning of your Letters we find nothing pleasant, or worthy the subscription of your names to it; for besides the matters produced concerning the rule for convocating Synods, and passing Acts therein; we observe that your Assertions proceeded from fear, which the Priests of God never consulted, when in their most difficult Enterprises they commanded with powerful Men in defence of Religion and Ecclesiastical Immunities; and of which fear you falsely imagine, that our Mind is capable to receive the least impression. For in our Breast a spirit of Episcopal Charity ought always to reside; which expels, and drives away all fear; and how much

this

this charity towards you, and the Kingdom of *France* enflames our paternal affection, you may easily collect by the many instances we formerly afforded you, which are not necessary to be recited in this place. And if this tenderness of our love towards you, may merit any return, it could not have been more seasonably demonstrated, than by conserving to us the Right of the *Regalia*, on which (if the matter be seriously considered,) the dignity, and authority of your Order doth depend. You feared, where no fear was; for that onely is to be feared, lest you be justly reproached by God or Man, for having failed in the duty you owe to your own honour, and the Episcopal Function. You ought to have called to mind those holy Prelates of old, whom many in succeeding Ages imitated, and made their Examples of fortitude, and constancy, the rules to follow. Behold the Statues of your Predecessors, not those onely of your Fore-fathers, but even of those who have flourished in our time, and memory; and make the Actions of that *Ivo Carnotensis*, your Pattern to imitate, as well, as his Sayings the subject of your praise: You know, what he acted, and what he suffered amidst that troublesome and hazardous Contention between Pope *Urban*, and King *Philip*, when he judged it his duty to oppose the King, and prefer the loss of his Goods, Imprisonment and Exile, before the more convenient Cause which others asserted. It was your duty to have joyned your endeavours to the authority of the Apostolical See, and with a pasto-

ral courage regulated with the humility of Priests, you ought so to have negotiated the Cause of your Churches before the King, as to have rightly informed his Conscience in the whole matter; though you had thereby provoked his Royal Displeasure against you; that so you might without shame, repeating the Psalms for the day, say to God in the words of *David*. *I will speak of thy Testimonies in the sight of Kings, and will not be ashamed.* And how much the rather were you obliged hereunto: *since that your Prince is exemplary for his Justice, and Piety, graciously inclines his ear to the Cause of the Bishops, favours the Churches, and will by no means violate, or infringe the Episcopal Authority.* These are the words which you your selves write, and which we with great satisfaction observe in your Letters. Wherefore we do not doubt, but had you stood firm in defence of your just Cause before the King, you would neither have wanted words to speak, nor the King a flexible heart to condescend to your desires: but since you have been so forgetfull of your Duty, and of the King's graciousness, as to keep silence in a matter of this moment, we do not see any probable colour you have to alledge for yielding up your Cause, and Point in dispute: for how can he fall, who never stood, how can he be overcome, who never fought? Did any of you ever plead so just, so holy, so important a Cause before the King? whenas your Predecessors have not onely maintained the like before former Kings of *France*, but in a free and plain Speech before this also, in reward

of

of which they have departed with victory from the presence of the King, and received encouragement for their resolute discharge of their Episcopal Function. Which of you now ever entered Lists, *or raised a wall for the House of Israel?* Which of you durst sacrifice himself to Envy, or so much as utter one word in remembrance of your pristine Liberty? *They all cryed out in the mean time*, (for so you write;) *and the King's Ministers exclaimed loud* in an ill Cause for the King's Rights, whilst you in a just one, and in maintenance of the Episcopal Dignity were silent. Nor have your Reasons, or Excuses rather, for what you acted in this Assembly, more solid foundation than the former; you urge, the danger of that difference which may arise between the spiritual and temporal Government, and thence deduce all those evils which may be derived to the Church, and State: and so conclude, that it is your duty, to root up the Cause of this growing Dissention: *which*, (as you say) *is best performed, by applying that remedy, which the Fathers of the Church prescribe of moderating the Canons, and accommodating Matters to the necessity of the Times when neither the truth of Faith, nor the rule of good Manners are endangered, and therefore much was owing from your Order, and from the Universal as well, as the Gallican Church, to a Prince that had deserved so well of the Catholick Religion, and desired every day to merit more, and for that reason you relinquished your right to confer it on the King.*

We

We [illegible] forbear here to take notice of what you mention concerning your appeal to the Secular Magistrate, by whose Sentence you lost your cause: for we desire that the memory thereof may for ever be abolished, and those words expunged out of your Letters, and not entered amongst the Acts of the Gallican Clergy, lest they for ever remain on record to the perpetual dishonour of your Names and Dignity. As to *Innocent* the Third, *Benedict* the Twelfth, and *Boniface* the Eighth, whose Actions, and Sayings you alledge in your defence, it hath been made appear by the studies, and enquiry of Learned Men, how different their Case was to yours; for so evidently was the zeal, and constancy of those Excellent Popes demonstrated in defence of the Ecclesiastical Liberty, that there needs no instances to prove, how little their Examples give countenance to your Errour. We freely admit, and commend the counsel of dispensing with the discipline of the Canons, as the necessity of the Times may require, provided, it be done, without prejudice to the Faith, or the doctrine of good Manners. And We agree with Saint *Augustine*. *That some things are to be tolerated for the good of peace, which otherwise in respect to equity, are detestable: nor are the Tares to be plucked up, lest the Wheat also be rooted up with them.* But this howsoever is to be admitted onely in certain cases, when necessity, and time urges; as was done when the Church restored the *Arian* and *Donatist* Bishops, who

who had abjured their Errours, to their Biſhopricks again, that ſo the People, who were their followers, might be conſerved in their duty. But the caſe is different, where the Diſcipline of a Church diſperſed through the large extent of a Mighty Kingdom and confirmed time out of mind, is put in danger of being abſolutely aboliſhed; nay, where the very foundation of Eccleſiaſtical Diſcipline, and Hierarchy would certainly be ſubverted, in caſe the Holy See ſhould diſregard thoſe evils, and ſuffer ſuch determinations to proceed, which have been lately decreed by the moſt Chriſtian King in point of the *Regalia*, not with your connivance onely but conſent; which being matters diametrically oppoſite to the Canons, and eſpecially to the authority of the general Council of *Lyons*, and againſt our expreſs mind, and pleaſure long ſince made known to you; you cannot acquit your ſelves of the breach of that Vow you made to God, the Holy Chair, and your own Churches at the time, when you received the character of Epiſcopal Ordination. Nor ſhould we, who in a ſolemn manner follow the ſteps of our Predeceſſours, inſiſt on our title thereunto, which together with a ſupreme authority over the Univerſal Church is conferred by Divine Right on our meek and humble Spirit: but that we plainly find, that by ſuch abuſe of the *Regalia*, the Diſcipline of the Church would be ſubverted, and the Purity of Faith endangered; inaſmuch as thoſe words in the King's Decrees muſt then be allowed, which place the right of conferring Benefices in the King, not

as

as any privilege held by conceſſion of the Church, but as an emolument independent, inherent, and grown up with the Crown. Nor can we without ſome horrour of mind reade that part of your Letter, wherein you ſay. *That relinquiſhing your own right and title, you had transferred it to the King:* As if you were abſolute Arbiters, and not Guardians of thoſe Churches which are committed to your care; and as if the Churches themſelves and their Spiritual Rights were capable of being ſubjugated by the Biſhops to the Secular Power, who ought rather to give their own Liberty, as a ranſom for theirs. This is a truth which you your ſelves acknowledge, in that you have confeſſed, and declared it in another place. *That the Right of Regalia is a certain Service, which in that particular, as far as concerns the Collation of Benefices, cannot be impoſed, without the conceſſion, or at leaſt the aſſent of the Church.* What power had you therefore to conſer this Right on the King? and ſince the Sacred Canons forbid all abridgments of the Rights of the Church, how durſt it enter into your minds to give away ſo large a ſhare of them? as if it were in your power to derogate from the authority of the Canons. Call to mind the famous Abbot of *Clareval* your Countryman, (deſervedly mentioned by you, as a Light not onely of the Gallican, but of the Univerſal Church) and what he excellently delivered in the admonition he gave to Pope *Eugenius* relating to his duty. *That he ſhould remember, that to him the Keys were given, that the Sheep were entruſted to him; that*

*though*

*though others had their particular Flocks assigned to them, to him the universal care of all was committed, and that* Eugenius *was not onely a Shepherd of the Sheep, but of the Shepherds themselves; and though other Bishops according to Canonical Institution were summoned in to bear part of the burthen, yet it was he, that was invested with the plenary Authority.* Which words may serve to admonish you of the obedience you owe to this Holy Chair in which we unworthy thereof by Divine Authority preside: and to consider, that the care we have to discharge our Pastoral Duty may be provoked at length to execute our Apostolical Function, which perhaps our patience and forbearance, in expectation of your repentance, may have too long deferred.

Wherefore in virtue of that Authority given us by Almighty God, we do by these present Letters disapprove, abolish, and make void all those Acts you have passed in your Assembly touching the *Regalia*, with all Matters appertaining thereunto; or shall be acted therein for the future; and that they shall for ever stand void, and of none effect; and that in themselves they really are null, and void without any such declaration or disapprobation from us. Howsoever we hope, that the matter being better considered, you will by a speedy retractation consult the safety of your own Consciences, and the honour of the Gallican Clergy; of whom, as there have not been those wanting in times past, who like good Shepherds have been

ready to give their lives for their Sheep, and for the testimony of their Fathers; so we trust also that the like Pastoral Spirit will appear for the future. We indeed according to the duty of our Office are ready by God's assistance to offer a Sacrifice of Justice, and to defend the Rights, and Liberties of God's Church, with the Authority, and Dignity of the Holy See; yet we presume not any thing of our selves, but of him onely, who strengthens, and works in us, and commanded *Peter* to come unto him on the Waters: *for the fashion of this World passes away, and the day of the Lord approaches.* Let us therefore so act venerable Brothers, and beloved Sons, that when the Supreme Father of the Family, and Prince of the Shepherds shall call his Servants to account, he may not require at our hands the bloud of that despised, and divided Church, which he purchased with his own: In the mean time, with a most ardent passion of Paternal love, we bestow upon you our Apostolical Benediction, praying that it may obtain the like for you from Heaven.

*Given at* Rome *the eleventh of* April. 1682.

THE END.

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